



City Council Agenda Report
Meeting Date: November 7, 2017
Department: City Clerk

SUBJECT:

PUBLIC HEARING NO. 4 - TRANSITION TO DISTRICT BASED ELECTIONS

RECOMMENDED ACTION(S):

1. Conduct the fourth of five (5) Public Hearings related to the creation of geographic voting districts and the drawing of district boundaries.
 2. Select a final district boundary map and determine the sequence of district based elections, to be adopted by Ordinance following the fifth Public Hearing.
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EXECUTIVE SUMMARY:

The City Council adopted a Resolution of Intention on May 2, 2017, initiating the process to transition to district-based elections. Subsequently, the City entered into a contract with National Demographics Corporation (“NDC”) to provide demography and district map preparation services. After two Public Hearings and two community workshops, the public was invited to submit potential district maps based upon adopted criteria. The public submitted twenty-six (26) maps for Council’s consideration. At the third Public Hearing, held October 3, 2017, the Council selected four focus maps and directed NDC to prepare a fifth map using specific geographic criteria. The fifth map was published on October 10th. Staff recommends the City Council conduct the fourth required public hearing to receive public comments regarding submitted maps and the transition from at-large to by-district elections for members of the City Council. At the conclusion of the Public Hearing, staff recommends the Council select a designed district boundary map and the preferred sequence of district based elections.

BACKGROUND:

Lake Forest currently uses an “at-large” election system in which electors from the entire City choose each of the five (5) Council Members. In a “by-district”, or district-based election system, the City is divided into separate geographic districts, each with one Council Member who resides in the district and is chosen by the electors in that district. A summary of the City’s activities and previous Council actions is found in Table 1.

Table 1 – Summary of Action to Date

Meeting Date	Action Taken
May 2	<ul style="list-style-type: none"> • Adopted Resolution of Intention for five Council districts
August 1	<ul style="list-style-type: none"> • Adopted Resolution establishing criteria for single member voting districts (Attachment 1) • Conducted Public Hearing #1, soliciting input prior to preparation of draft maps (Attachment 2) • Directed City Attorney to agendize discussion about future measures related to the number of districts and/or directly elected Mayor
August 10, August 17	<ul style="list-style-type: none"> • Staff conducted community workshops
August 15	<ul style="list-style-type: none"> • Council discussion of ballot measure options (Attachment 3)
September 5	<ul style="list-style-type: none"> • Conducted Public Hearing #2, soliciting input prior to preparation of draft maps (Attachment 4)
September 19	<ul style="list-style-type: none"> • Public Deadline for submission of draft maps
September 24	<ul style="list-style-type: none"> • Draft Maps published for public review
October 3	<ul style="list-style-type: none"> • Conducted Public Hearing #3, soliciting input on the draft maps (Attachment 5) • Selected four focus Maps (Maps 109, 110, 115, 116) • Directed NDC prepare fifth map for focused consideration
October 10	<ul style="list-style-type: none"> • Map 128 published for review

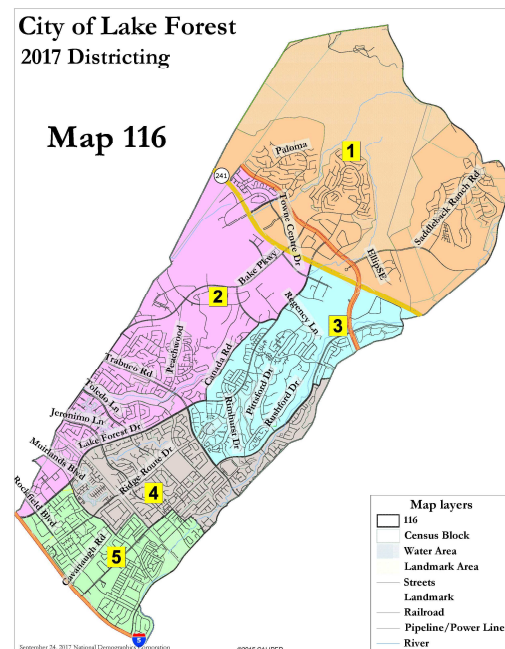
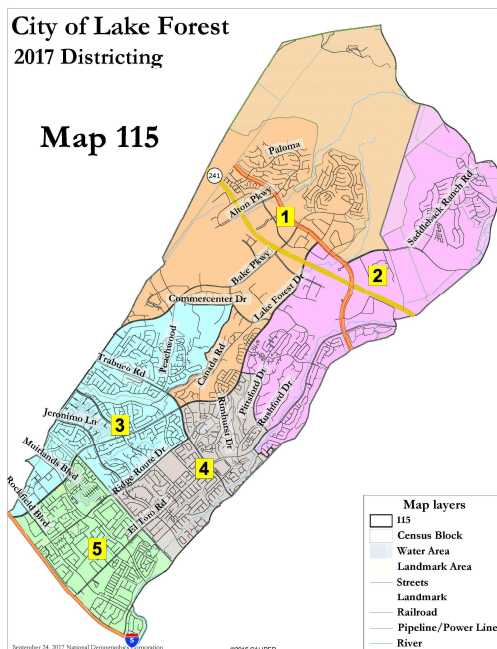
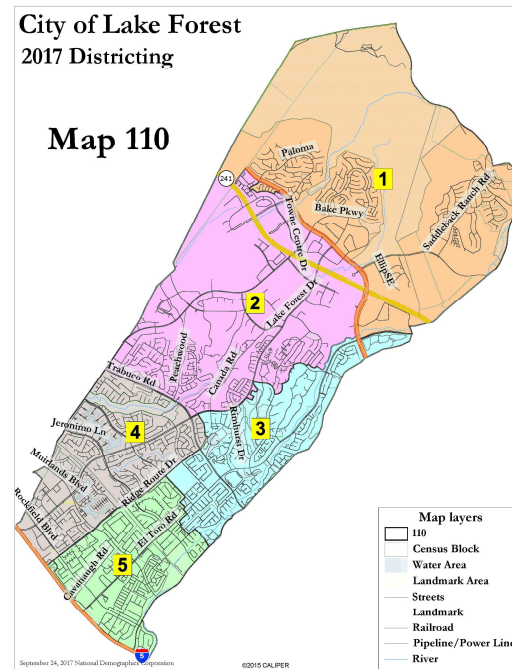
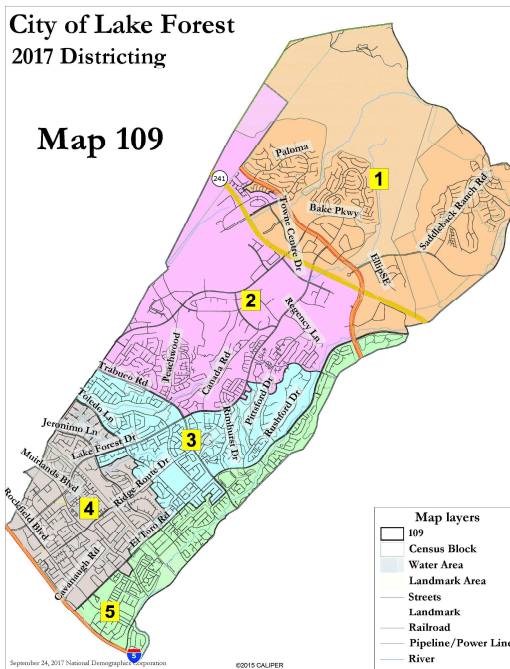
For additional public input and Council consideration, the five focus maps are attached (Attachment 6).

DISCUSSION:

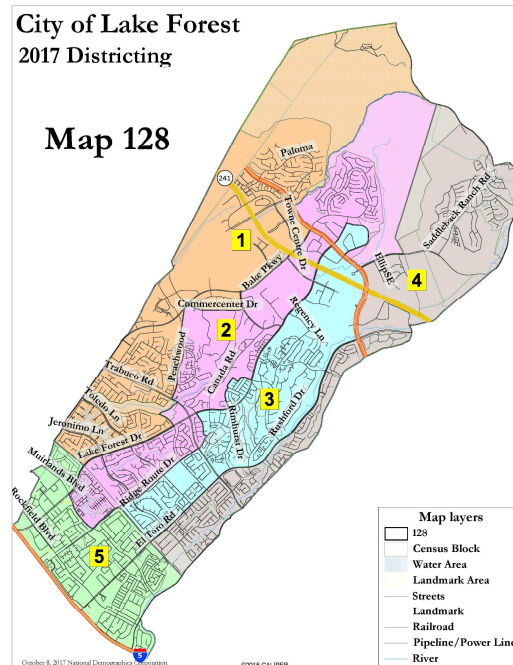
Over the last several years, cities, school districts, and community college districts throughout the State of California have been changing from at-large to district-based elections to comply with the California Voting Rights Act of 2001 (Elections Code §14025 et seq.). The California Voting Rights Act (“CVRA”), in conjunction with Government Code §34886, set forth the transition process, which includes: two public hearings; the drawing of draft maps; two additional public hearings; selection of a final map and establishing the sequencing process by which staggered election districts will be implemented; and finally adoption of an ordinance codifying those selections.

As discussed at previous Public Hearings, maps must be population balanced to be considered for potential adoption. Small population deviations are permitted if

they are necessary to achieve what the U.S. Supreme Court has labeled “traditional redistricting principles.” These principles include: maintaining communities of interest; creating compact, contiguous districts; and using visible natural or manmade boundaries. A community of interest is a neighborhood or community that would benefit from being maintained in a single district because of shared interests, views or characteristics. The four submitted maps selected by the City Council for continued focus are:



In addition, the Council directed NDC to prepare a fifth map for continued focus, using specific geographic criteria (maintain the area west of Muirlands Boulevard throughout the city as one community of interest, divide the remaining portions of the city using vertical lines). That map is represented as Map 128, below:



Following the Public Hearing, the Council will determine which map best represents the community's interest with the transition to by-district elections.

Discussion of the sequencing process, where the Council determines which geographic districts will be elected in 2018 and which districts will be elected in 2020, can occur during any stage of the Public Hearing process. Ultimately, the final sequence of district elections is reflected in the adopted Ordinance. If approved, a district-based election system would be phased in over two election cycles starting in November 2018, with full implementation in 2020. Each district would elect one Council Member to a four-year term.

There are multiple options available for Council's consideration. In determining the sequence of districts elected, it is customary to consider the residency of incumbent Council Members and the expiration of their current terms. To that end, Table 2 reflects term expirations and the residency of Council Members in the various districts according to specific Maps.

Table 2 – Council Member District Term Expiration & Residency by Map Number

Map #	Basile (2020)	Gardner (2018)	Hamilton (2018)	Robinson (2020)	Voigts (2018)
109	1	4	3	3	3
110	1	4	4	4	3
115	2	5	3	3	2
116	1	4	2	2	3
128	4	2	1	1	3

Using the selected Map Number, the Council may consider the various options available for implementing sequencing. Table 3 highlights the options for all five focus maps.

Table 3 – District Sequence Options Based on Council Member Residency

Map #	Option 1		Option 2		Option 3		Option 4	
	2018	2020	2018	2020	2018	2020	2018	2020
109	3, 4, 5	1, 2	2, 4, 5	1, 3	2, 3, 4	1, 5		
110	2, 3, 4	1, 5	2, 3, 5	1, 4	3, 4, 5	1, 2		
115	1, 4, 5	2, 3	1, 3, 5	2, 4	2, 4, 5	1, 3	2, 3, 5	1, 4
116	2, 4, 5	1, 3	2, 3, 5	1, 4				
128	1, 2, 3	4, 5	2, 3, 5	1, 4				

At this point in the process, Dr. Justin Levitt, NDC Vice President, will lead a review of the five focus maps and answer questions to assist the Council in selecting the final map and determining district sequencing.

Following Council selection of the desired district boundary map and the preferred sequence of district based elections, staff will present an Ordinance for introduction at the 5th Public Hearing. This Ordinance will establish the district boundaries and the sequence of district elections. Upon second reading, the Ordinance will be effective in time for the November 2018 general municipal election.

The remaining items on the adopted schedule for the transition are as follows:

Table 4 – Proposed Election Transition Schedule

11/7/2017	Public Hearing #4	Second public consideration of draft maps narrowed down from maps proposed at Public Hearing #3; Selection of map to be referenced in Ordinance
12/5/2017	Public Hearing #5	Introduction of Ordinance approving proposed districts, the final map, and sequencing of districts and/or directly elected Mayor if applicable (i.e., which districts are up for election in 2018 and 2020)
12/19/2017	Adoption of Ordinance	Final adoption of Ordinance approving Districts, maps, and sequencing (placed on consent)
11/6/2018	Election Day	First district elections held (three seats open in 2018; remaining seats will be elected by district in 2020).

At this time, it would be appropriate to conduct the 4th required Public Hearing, select a final map, and determine the ultimate sequence of district based elections.

FISCAL IMPACT:

Fiscal impact associated with the recommended action includes the cost of public hearing advertising, with sufficient funds budgeted in the FY 2017-18 General Fund operating budget.

ATTACHMENTS:

1. Resolution establishing guidelines for the creation of districts
2. Minute Excerpt August 1, 2017 Council Meeting
3. Minute Excerpt August 15, 2017 Council Meeting
4. Minute Excerpt September 5, 2017 Council Meeting
5. Minute Excerpt October 3, 2017 Council Meeting
6. Focus Maps

Submitted By: Stephanie D. Smith, City Clerk

Approved By: Debra Rose, City Manager